



# House of Representatives

General Assembly

**File No. 567**

*January Session, 2001*

House Bill No. 5843

*House of Representatives, May 2, 2001*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING INTERVENTION BY SIBLINGS IN COURT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 46b-129 of the general statutes is amended by adding  
2 subsection (p) as follows:

3 (NEW) (p) Upon motion of any sibling of any child committed to  
4 the Department of Children and Families pursuant to this section, such  
5 sibling shall have the right to be heard concerning visitation with, and  
6 placement of, any such child. In awarding any visitation or modifying  
7 any placement, the court shall be guided by the best interests of all  
8 siblings affected by such determination.

**JUD** Joint Favorable

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None, Uncertain

**Affected Agencies:** Judicial Department

**Municipal Impact:** None

**Explanation****State Impact:**

The bill would result in additional workload (court time) for the Judicial Department but is not anticipated to result in a fiscal impact. The bill allows the siblings of children who are committed to the Department of Children and Families (DCF) due to being uncared for, abused or neglected to be heard by the court concerning the placement and visitation of their committed siblings. In FY 00, a total of 2,273 of these children were committed to DCF. The number of children that have siblings and that would choose to be heard is unknown.

However, it should be noted that it is uncertain if the siblings of committed children would require an attorney in order to be heard before the court and if so, if the state would have to provide such. The Judicial Department currently spends about \$9 million per year on attorneys in juvenile matters courts. Most of these attorneys are paid \$350 per case for up to 30 hours of work and \$40 per hour of work beyond. Others are paid by the hour with a maximum payment of \$182 per day.

**OLR Bill Analysis**

HB 5843

***AN ACT CONCERNING INTERVENTION BY SIBLINGS IN COURT.*****SUMMARY:**

This bill requires juvenile court judges to hold hearings when brothers or sisters of an abused or neglected child in the Department of Children and Families' (DCF's) custody ask (file a motion) to be heard concerning visitation with, or placement of, that child. It directs judges to consider the best interests of all siblings in awarding visitation or modifying DCF placements.

Currently, DCF makes most visitation and placement decisions at administrative hearings. Siblings cannot independently request a hearing, but the agency may permit them to intervene in proceedings initiated by the child or his parent or guardian.

EFFECTIVE DATE: October 1, 2001

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report

Yea 35      Nay 0